

california  
physicians  
supplements

Opposition # 91194536

77/564,534

BONE MILK

3-31-11

Dear Trademark Office,

I am requesting in writing that Bone Milk filing is re-opened.

We have been in communications with Cytosport for over 2 years. The lawyers that represent Muscle Milk have been trying to get in touch with their client for over a 1 1/2 with no response from them. We are using the name BONE MILK for a calcium supplement for medical doctors. We are in no way in the same category as Muscle Milk (whey protein drink). BONE MILK is a powder bone density-building supplement. This has been conveyed to CYTOSPORT numerous times during the past 2 years. CYTOSPORT has cooperated with California Physicians Supplements during this time but has continually stated that they have been unable to get in touch with their client. Over a year ago CYTOSPORT asked for my permission to file a JOINT MOTION FOR SUSPENSION. I cooperated and agreed to that.

Unfortunately in January/February of 2011 I had pneumonia and was unable to attend to this important matter.

I called CYTOSPORT 3 times this year already. They stated to me that they have still not heard from their client on this matter. I just received the same message on March 30, 2011 from Jed Hansen at Cytosport. He told me to touch base with him again next week to hear if he heard from his client.

For the reasons stated above, I would like to ask the Trademark Office to reinstate this mark and application for approval. Cytosport has also been sent this letter via certified mail. Enclosed is a copy of service.

Thank you for your consideration.

Sincerely,

  
Diane Keurajian



04-07-2011

cc Cytosport, Jeb Hansen

U.S. Patent & TMOff/TM Mail Rep'd Of #32

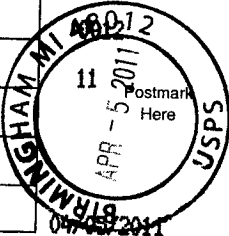
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